

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

Plaintiff seeks judicial review of the final decision of Defendant Commissioner of Social Security. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302(C)(15).

On January 9, 2006, the Magistrate Judge filed Findings and Recommendations that recommended the court find Plaintiff's appeal from the administrative decision of the Commissioner of Social Security be denied. These Findings and Recommendations were served on the parties and contained notice to the parties that any objections to the findings and recommendations were to be filed within ten days.

No party has filed objections.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)C) this court has conducted a de novo review of this case. Having reviewed the file, the court finds the Findings and Recommendations to be supported by the record and by proper analysis. The court agrees with

1 the Magistrate Judge's finding that the Commissioner's decision is supported by substantial
2 evidence and is not based on legal error. The court will therefore affirm the Commissioner's
3 decision. See Jones v. Heckler, 760 F.2d 993, 995 (9th Cir. 1985).

4 Accordingly, it is HEREBY ORDERED that:

- 5 1. The Findings and Recommendations issued by the Magistrate Judge on
6 January 9, 2006, are adopted in full; and
7 2. The Commissioner's decision is AFFIRMED.

8
9 IT IS SO ORDERED.

10 Dated: February 28, 2006
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11 /s/ Anthony W. Ishii
12 UNITED STATES DISTRICT JUDGE